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ATTORNEYS AT LAW

February 25, 2003

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VIA HAND DELIVERY

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**Re: Request to Accept Document as Timely Filed
In Docket No. 94-102**

Dear Ms. Dortch:

After speaking with Mr. Bill Caton today, I am writing to request that you accept the Petition for Clarification and Reconsideration filed on behalf of 7-Mobile USA, Inc. (already posted in the above-mentioned docket) as timely filed. Because of technical difficulties on the evening of February 21, 2003, I was unable to get the filing through the Commission's electronic filing system between 10:30 pm and midnight. When I finally succeeded, the confirmation sheet I received indicated that the filing would be dated as received the next business day. For the reasons discussed below, I respectfully request that you accept the document as timely filed.

This letter follows a letter to your office dated February 22, 2003 (copy attached), in which I described the difficulties I experienced while attempting to file the Petition on the evening of February 21, 2003. That evening our office building was evacuated after a manhole cover exploded just outside. We were directed to leave and told that the electricity would be turned off during repairs, for an unknown period of time. In addition, our network and e-mail access were interrupted. After the evacuation, I attempted to make the filing from my home starting before 10:30 pm.

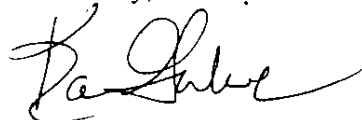
After some initial difficulty, I was able access to the FCC's website and the filing system several times, but it repeatedly froze, timed out or disconnected. I continued attempting to file from home for well over an hour, and finally was able to get the filing through without being timed out. However, once I received the confirmation, it indicated that the filing would be date-stamped for the next business day. At that point I left messages for both the ECFS help desk and a staff member of the Wireless Telecommunications Bureau, and the next morning I drafted the letter to you documenting these problems.

Pursuant to sections 1.3 and 0.231(i), I respectfully request that you accept this document as timely filed. Despite every good faith effort, I was not able to get the Commission's system to accept the filing for a lengthy period of time. When the document finally went through, the actual delay in the acceptance of the filing was minimal: Ms. Robin Jackson, of the Commission's ECFS staff, confirmed yesterday after initial receipt within the system, the document was received within her office and stamped at 12:02 am – a delay of two minutes.

T-Mobile has been an active participant in this docket and has always made its filings in a timely manner. Because of the unusual circumstances affecting completion of the filing, which were beyond our control and are highly unlikely to be repeated, T-Mobile respectfully requests that you accept the document as timely filed.

Please contact me at (202) 730-1340 if I can provide you with any additional information.
Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karen Gulick', written in a cursive style.

Karen Gulick

Counsel to T-Mobile USA, Inc.

Attachments

cc: William Caton, Office of the Secretary